

UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE



**OFFICIAL WARNING**  
**VIOLATION OF FEDERAL REGULATIONS**

**CASE NUMBER:**

MS11004-AC

**VIOLATOR:**

Tim Napier

**ADDRESS** (*Street, City, State, ZIP Code*):

3223 Ballantree Way  
Verona, KY 41092

The U.S. Department of Agriculture has evidence that on or about the date(s) listed below, you or your organization committed the following violation(s) of Federal Regulations:

**Date of Violation: October 23, 2010**

**15 U.S.C. § 1824 (2)(D)** Unlawful acts (allowing any activity described in clause (A) or (B).

You allowed the entry of a shore horse for the purpose of showing or exhibiting at the ETWHA Fall Classic Horse Show.

During a post-show inspection, the USDA inspector observed "I'm King James" had bilateral raised cords of tissues on the posterior area of both front feet, with blood on the medial scar area. In addition, "I'm King James" exhibited a consistent, moderate pain response on the left foot, in the medial and lateral area of the foot.

**Date of Violation: October 23, 2010**

**9 C.F.R. § 11.3** Scar rule.

The scar rule applies to all horses born on or after October 1, 1975. Horses subject to this rule that do not meet the ...scar rule criteria shall be considered to be "sore" and are subject to all prohibitions of §5 of the Act.

During a post-show inspection, the USDA inspector observed "I'm King James" had raised cords of tissue extending from the left foot pocket area going medial and lateral, with blood on the medial scar. The inspector also observed raised cords of tissue on the posterior area of the right foot that extended from the pocket area up and medial and lateral. This is indicative of soring. In addition, the horse consistently withdrew his put in paid when the area was palpated.

The Animal and Plant Health Inspection Service (APHIS) created federal regulations to ensure the welfare of animals and help prevent the spread of animal and plant pests and diseases. Since violations of the regulations can have serious and costly impacts that are detrimental to the public interest, APHIS is providing you with an Official Warning for the violation(s) described above. Any further violation of these federal regulations may result in the assessment of a civil penalty, criminal prosecution, or other sanctions. If you have any questions concerning this Official Warning or violation(s), please contact the APHIS official listed in this notice.

**APHIS OFFICIAL (Name):**

Robert J. Huttenlocker

**OFFICE ADDRESS:**

4700 River Road, Unit 85  
Riverdale, MD 20737

**APHIS OFFICIAL (Title):**

Director, Investigative and Enforcement Services

**DATE  
ISSUED:**  
8/21/2012

**TELEPHONE  
NUMBER:**  
(301) 851-2948